

Application No. 10/625,366
Amendment dated February 10, 2006
Reply to Office Action of September 20, 2005

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-56 were originally presented. Claims 37-56 have been withdrawn as being drawn to a non-elected invention and claims 1 and 16 have been amended herein, so that claims 1-36 are presently pending. Claims 1 and 16 are independent.

In the Office Action mailed September 20, 2005, the Examiner objected to independent claims 1 and 16 for containing informalities regarding the use of the word “suitable.” Applicants have amended independent claim 1 to delete both occurrences of the word “suitable” from step (d) in accord with the Examiner’s request. Applicants have also amended independent claim 16 to delete both occurrences of the word “suitable” from step (f) in accord with the Examiner’s request. Thus, Applicants respectfully request this objection be withdrawn.

In the Office Action, the Examiner rejected independent claims 1 and 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,254,766 to Sughrue (hereinafter Sughrue). For the reasons given below, Applicants respectfully submit that independent claims 1 and 16 are not anticipated by the prior art, including Sughrue.

In the Office Action, the Examiner states that “Sughrue discloses a process for the production of a sorbent composition which comprises: (a) admixing of zinc oxide, silica and alumina so as to form a mix thereof....” While it may be true that Sughrue discloses this step, this does not anticipate independent claims 1 and 16. Both independent claims 1 and 16 recite as the first step in a method for production of a composition “admixing: 1) a liquid, 2) a zinc-containing compound, 3) a silica-containing material, 4) alumina, and 5) a promoter.” Nowhere does Sughrue disclose or suggest mixing a promoter in addition to the zinc oxide, silica, and alumina in the first step of the method. MPEP § 2131 states that a reference must teach each and every element of a claim in order to anticipate that claim. Thus, because, for example, Sughrue does not disclose mixing a promoter with a silica-containing material, zinc-containing compound, and alumina in the first step of a method for production of the composition, Sughrue cannot anticipate independent claims 1 and 16.

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In light of the foregoing, Applicants respectfully submit that independent claims 1 and 16 are in condition for allowance. Additionally, while dependent claims 2-15, which depend from independent claim 1, and 17-36, which depend from independent claim 16, recite additional patentable features, these claims should also be in condition for allowance because they depend from patentable independent claims.

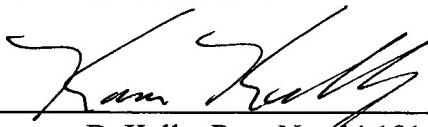
Therefore, the present application should now be in condition for allowance and such allowance is respectfully requested. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460.

A 2-month Petition for Extension of Time accompanies this Amendment, along with a check in the amount of \$450.00 for the petition fee set forth in 37 C.F.R. § 1.17(a). The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0522.

Respectfully submitted,

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